



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

105

CRM-M-28571-2025

Date of decision: 22.05.2025

Kulwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sukhdeep Singh Sidhu, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.51 dated 23.04.2025 under Sections 318(4), 343, 61(2)(a) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station City Rampura, District Bathinda.

2. The instant case arises from allegations that the petitioner, along with co-accused, maliciously destroyed an agreement to sell dated 01.12.2024, thus giving rise to proceedings that are both criminal and contractual in nature.

3. Learned counsel for the petitioner has argued that the instant FIR is the result of an underlying civil dispute that has been given a criminal colour. It is emphasised that the agreement forming the basis of the FIR is a civil contract concerning immovable property and any alleged breach thereof ought to be addressed in civil proceedings. Learned counsel has also pointed to a delay of over four months in



lodging the FIR and has argued that the same is indicative of false implication. It is also contended that the petitioner had earlier joined the investigation pursuant to interim protection granted by the learned Trial Court and that nothing remains to be recovered from him.

4. Notice of motion.

5. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

6. Learned State counsel has opposed the prayer and submissions made by the counsel opposite and submitted that the presence of the petitioner at the scene of occurrence is clearly established through a video recording that captures him tearing the agreement along with other co-accused. It has been vehemently contended that the petitioner is involved in multiple criminal cases under various provisions of the IPC, thus clearly revealing that he is a habitual offender and has utter disregard for the rule of law.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. The allegations against the petitioner, *prima facie*, are grave and backed by preliminary material, including a video recording, which shows active participation in the commission of the offence. The deliberate act of tearing a legal document in collusion with others to defeat a contractual obligation amounts to criminal mischief and dishonesty.

9. The aspect that weighs heavily with this Court is the petitioner's appalling criminal antecedents—13 criminal cases under

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various provisions, reflecting not an isolated lapse but a recurring course of conduct. Such antecedents, viewed cumulatively with the nature of crime, persuade this Court not to extend the extraordinary concession of bail to the petitioner.

10. In the aforementioned facts and circumstances, particularly given the antecedents of the petitioner and the role attributed to him, no case is made out to grant him anticipatory bail. The instant petition stands dismissed accordingly.

11. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

22.05.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No